

MEMORANDUM FOR COMPETITION ADVOCATE

FROM:

BP

Prepared by Joseph E. Collins/BPPA/X2-4446/May 8, 2008

SUBJECT:

Justification for Other than Full and Open Competition, Solicitation
SPM7LX-08-R-0100, Multiple NSNs (22) Automotive Parts and Accessories

PURPOSE:

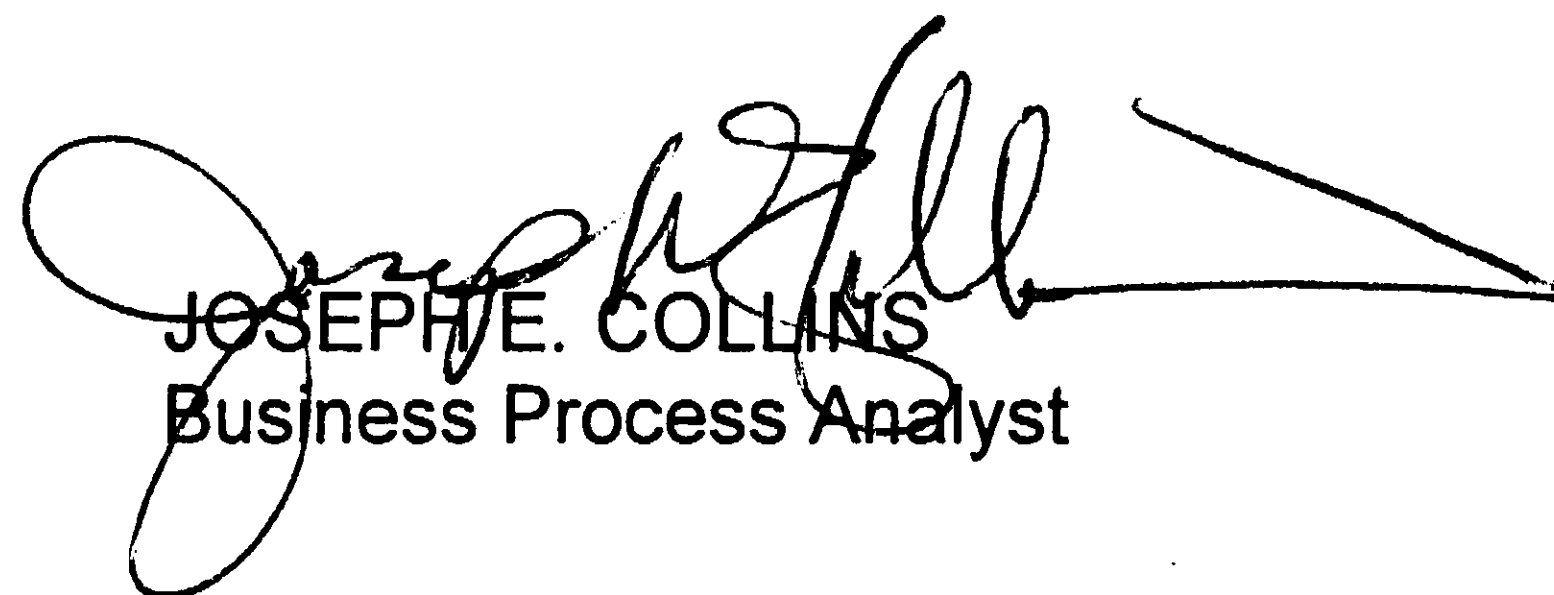
To Comply With FAR Subpart 6.302-1 Requiring J & A Approval by the
Competition Advocate (For Procurements over **\$550,000 but Less Than
\$11,500,000**)

DISCUSSION

- This solicitation provides for the establishment of a Firm-Fixed-Priced (FFP) indefinite quantity contract with a one-year base and four (4) one-year options.
- Subject solicitation is for the procurement of various automotive code and part number items supplied by a variety of approved sources.
- Referenced items have Acquisition Method Suffix Codes of B, C, D, and H which indicates certain items are critical and procurement is restricted to sources on the source control drawing(s). Referenced item(s) requires engineering source approval by the design control activity. Currently the Government does not have available required technical data. Subject data for specific items cannot be obtained economically. The Government does not have sufficient, accurate or legible data to purchase part from other than the current source(s).
- Currently there is no reasonable expectation offers will be received from two or more small businesses offering the products of another small business.
- Solicitation will be synopsisized in FedBizOpps. Dealers of the manufacturers will be solicited.
- Justification for Approval, Purchase Acquisition Plan, and Solicitation has been reviewed for J & A approval only.
- The base estimated J & A value of anticipated award is **\$669,601.76**. With four (4) one-year options the estimated contract maximum is **\$6,696,017.60**.
- Referenced NSN is being procured in accordance with other than full and open competition (FAR 6. 302-1), as the Government does not possess sufficient technical data to purchase from additional sources.

The contracting officer requests approval of subsequent J & A under authority 10 USC 2304 (c)
(1) "**Available from Only One or A Limited Number of Sources**" (FAR 6.302-1).

RECOMMENDATION: Sign the attached J & A.


JOSEPH E. COLLINS
Business Process Analyst

JUSTIFICATION FOR OTHER THAN FULL AND OPEN COMPETITION

- ☒ **ORIGINAL**
☐ **ADDENDUM** (attach copy of original J & A for add-ons or revisions)

1. The Defense Logistics Agency, Defense Supply Center Columbus, is the contracting activity.
2. The action being approved is the acquisition of supplies/services on other than a full and open competition basis.
3. The supplies/services required to meet the using activity's needs are described as follows:

Brief Description	NSN	QFD	ADQ	ADV	AMSC
SADDLE ASSEMBLY,LIF	2510015091903	6	24	\$5,712.72	H
DISK,CLUTCH,VEHICUL	2520001070027	66	264	\$14,401.20	B
WHEEL,SOLID RUBBER	2530004907530	34	136	\$5,138.08	H
MOTOR,WINDSHIELD WI	2540004669026	24	96	\$50,905.92	C
LATCH,DOOR,VEHICULA	2540015329635	204	816	\$4,202.40	H
ARM,WINDSHIELD WIPE	2540015330185	72	288	\$3,461.76	H
ARM	2590013010954	8	32	\$10,160.96	D
ENGINE,DIESEL	2815014995116	40	160	\$265,400.00	H
FILTER,FLUID	2910009527094	14	56	\$14,309.12	H
TANK,FUEL,ENGINE	2910013588907	72	288	\$12,945.60	D
FILTER ELEMENT,FLUI	2910014601353	48	192	\$1,370.88	H
PUMP,FUEL,METERING	2910015061168	32	128	\$6,909.44	H
NOZZLE,FUEL INJECTI	2910015096368	12	48	\$3,672.48	H
FILTER,FLUID	2910015432345	2	8	\$14.72	H
PARTS KIT,ENGINE,FA	2930012723925	206	824	\$148,344.72	C
ELEMENT ASSY	2940012107283	14	56	\$7,292.32	H
FILTER ELEMENT,INTA	2940015085391	32	128	\$3,457.28	H
VENT,INBREATHING	2990012911277	18	72	\$1,615.68	H
ADAPTER,FUEL CONTRO	4730007238201	26	104	\$28,600.00	C
PAN,DRAIN	4910014551273	90	360	\$30,592.80	H
THREAD PROTECTOR	4910014570181	68	272	\$5,943.20	H
ANTENNA	5985014370879	54	216	\$45,150.48	H
			ADV	\$669,601.76	
			5 YR	\$3,348,008.80	
			Max	\$6,696,017.60	

4. The statutory authority permitting other than full and open competition is:

(X) 10 U.S.C. 2304(c)(1) - Available from only one or a limited number of sources.

() 10 U.S.C. 2304(c)(2) - Urgency.

() 10 U.S.C. 2304(c) - _____.

5. The use of the authority cited is based on:

(The following are condensed versions of the AMSC descriptions. The full text is available in DFARS PGI 217.7506 Part 2).

() AMSC A*. Government's right to use data in its possession is questionable. This code is only applicable to parts under immediate buy requirements and for as long thereafter as rights to data are still under review for resolution and appropriate coding.

(X) AMSC B. Due to the criticality of the item, procurement is restricted to source(s) specified on "Source Control" drawing.

(X) AMSC C. Part requires engineering source approval by the design control activity in order to maintain the quality of the part.

(X) AMSC D. No technical data on item and data cannot be obtained economically.

(X) AMSC H*. Government does not have sufficient, accurate or legible data to purchase part from other than the current source. This code is under review and will be updated when the review is completed.

() AMSC K. Requires use of specialized castings under MIL-STD-2175.

() AMSC L*. The annual buy value of this part falls below the screening threshold established by DoD components and field activities.

() AMSC M. Requires use of master or coordinated tooling.

() AMSC N. Requires special test and/or inspection facilities to maintain function or system integrity.

() AMSC P. Rights to data is not owned by Govt. and cannot be purchased, developed or otherwise obtained.

() AMSC R. Govt. does not own the data or rights to the data needed to purchase this part from another source and it has been determined not to be economically feasible to procure the data or rights to the data.

() AMSC S. Procurement is restricted to Govt. approved sources because item involves militarily sensitive technology.

() AMSC Z. Sole source Commercial/non-developmental (off-the-shelf item.)

APPLIES TO LTCs *An Item identified by AMSC A, H, or L has been subjected to limited screening. The Government does not physically have in its possession sufficient, accurate, or legible data to purchase this item from other than the identified source. Items identified by

AMSC A, H, or L on Long Term Contracts, are subject to annual review for possible assignment of a different or permanent AMSC. DSCC agrees to maintain a continual review of these items to ensure that an annual review at a minimum, in part to determine if new technical data is available to allow for assignment of a more permanent AMSC. Any item determined to be competitively available during the solicitation evaluation phase will be removed from the acquisition requirement. Any item determined after contract award to be competitively available may be deleted from the contract and re-solicited

☐ The supplies are urgently required to maintain _____ and the using service' military capability will be seriously injured unless the agency is permitted to limit the number of sources from which it solicits bids or proposals and not delay award of the contract.

☐ The requisitioner has assigned a priority designator within Issue Priority Group I. The assignment of a priority designator within IPG 1 is controlled by the procedures of Department of Defense Directive 4410.6 and indicates that the 'Services' military capability will be seriously injured unless the agency is permitted to limit the number of sources from which it solicits proposals. Requirements citing an IPG 1 priority are certified as accurate by review of the commanding officer of the requisition unit or designated representative. Only the most urgent requirements are properly coded within IPG 1.

☐ The requisitioner has also cited an expedited handling signal of 999, N__, or E__ or an Office of the Secretary of Defense/Joint Chiefs of Staff project code beginning with a "9". (DoD 4000.25-1-M describes the circumstances where these codes may be assigned.)

☐ Procurement from a specified source or agency is authorized by statute.

☐ This acquisition is being processed in accordance with the Class J&A which covers Diminishing Manufacturing Sources and Material Shortages (DMSMS) Life of Type (LOT)

☐ Other _____.

6. Efforts to ensure that offers are solicited from as many sources as practicable are:

☒ The acquisition will be synopsized.

☐ Manufacturers of similar products identified in the market survey will be solicited.

☐ Dealers of the manufacturer will be solicited.

☐ Other. (Explain) _____

7. I hereby determine that the anticipated cost to the Government will be fair and reasonable.

8. A market survey was sent to ESE Components Co (1GN08), New Era Contract Sales (0FA68), JBG Enterprises (61125), Evans Tempco Inc (21102), Champ Industries Inc (0YGR5), Western Filter Corp (13520), Oshkosh Corp (45152), Puroflow Inc (14818), Cummins Northern Illinois Inc (0LE70), Ruta Supplies (0NJT4), Syracuse International Trading (1MQB3), Austin Hardware

& Supply Inc (1P9Z9), Prop Shaft Supply Inc (1R7A5), Heat Wagon Inc (1T8G7), Nestor Sales LLC (1X015), BTMC Corp (7S526), Rockwell Collins Inc (13499), Telectro-Mek Inc (16058), New Pig Corp (1JA49), and MTA Distributing of TN & KY Inc (1PZR7). These are the most recent suppliers and/or approved sources for these NSNs.

(X) was conducted and firms indicated an interest in the acquisition will be solicited. Market research efforts, if any, include: Written responses were received from ESE Components Co (1GN08), New Era Contract Sales (0FA68), JBG Enterprises (61125), Evans Tempco Inc (21102), Champ Industries Inc (0YGR5), Western Filter Corp (13520), and Oshkosh Corp (45152). Per Market Survey responses and past procurements of this item, the Contracting Officer has determined ALT, PLT, and Set-Aside concerns for this procurement. Complete responses to the Market Survey are in tab 5 of the file.

() was not conducted due to the unusual and compelling urgency of the requirement.

() was not conducted due to: _____.

9. Additional facts supporting other than full and open competition are:

(X) Based upon the technical certification on file in DSCC-VEP technical data is not available and cannot be developed to permit full and open competition. The data presently available reflects the minimum needs of the Government.

() As stated in the attached certification by the requiring activity, the Military Services will be seriously injured if contract award is delayed. The extent and nature of harm are detailed in the attached certification, or provide a narrative Impact Statement below:

_____.

() Other _____
_____.

10. A listing of sources, if any, indicating an interest in the acquisition is: (If none, so state) Evans Tempco Inc (21102), Champ Industries Inc (0YGR5), and Western Filter Corp (13520).

11. In addition to the specific actions being taken by Technical Support personnel to overcome barriers to competition before any subsequent acquisitions or recertification of class determination are made, this item is subject to the following methods of locating additional sources:

(X) The solicitation contains the provision entitled Conditions for Evaluation and Acceptance of Offers for Part Numbered Items

() VE Bailment Program

() Source Development Review

☐ Reverse Engineering

☐ Other _____.

CONTRACTING OFFICER CERTIFICATION

NSN: See Table Above

I hereby certify that the information contained in this justification is accurate and complete to the best of my knowledge and belief.

4-24-08
Date

Brandy Warner
Contracting Officer
Brandy Warner
APPROVAL

I have reviewed and approve ☒ disapprove _____ this justification.

Kelly R. Vingle
Name and Title

KELLY R. VINGLE
COMPETITION ADVOCATE

5/8/08
Date

APPROVAL REQUIREMENTS

☒ Up to \$550,000

Contracting Officer

☒ \$550,000 to \$11,500,000

Competition Advocate

☐ \$11,500,000 - \$78,500,000

Commander

☐ Over \$78,500,000

Senior Procurement Executive (AQ)